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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,259	10/20/2003	Masami Endo	12732-169001	4579
26171	7590	11/01/2006	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			HOLTON, STEVEN E	
			ART UNIT	PAPER NUMBER
			2629	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/688,259

Applicant(s)

ENDO ET AL.

Examiner

Steven E. Holton

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 12-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-11 and 16 in the reply filed on 8/16/2006 is acknowledged.

Claim Objections

2. Claims 3, 4, 7.8, and 9 are objected to because of the following informalities: the abbreviation FPC in claims 4 and 9 should be written out in full to avoid misunderstanding of the intended term.

Claim 7, line 25 states "besides said writing device finishes reading from said first or second memories". The Examiner believes this should read, "besides said reading device finishes reading..." The writing device is mentioned on line 24 of the claim.

Claim 3 and 8 recite "said memory", the Examiner believes this should be "said memories" because of the two memories used in the device. Also, the phrase "formed over a display portion and a substrate" appears incorrect. The memories are formed on a substrate, but not over the display portion of the device as shown in Fig. 1.

Appropriate correction is required.

Claims 6 and 11 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 6 recites an electronic device of the display of claim 2, when it is obvious that the device of claim 2 is an electronic device.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-11 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1 and 16, the claims state that they are a method claims, but lack distinct steps within the claim language. It is unclear and indefinite what steps of the method are being claimed for coverage.

Regarding claims 2 and 7, the limitation "a means to decide the roles for writing and reading to said first and second memory in accordance with the states of said writing device and said reading device" is unclear on the meaning. If the role of the writing device and reading device is being decided, how can the state of the writing and reading device be used to determine the role? It would seem that the state and the role of the devices are the concept and using something to determine itself appears impossible. The Examiner recommends considering mention of previous and current states or some other type of language to better explain the role deciding means. Further, the phrase "wherein said writing device and said reading device are synchronized thereby" is unclear as to what part of the claim is used to synchronize the writing and reading devices. Is it the entire body of the claim? Or the deciding means using the states of the writing and reading devices to pick the roles of the devices?

Claims 3-6 and 8-11 are dependent on claims 2 and 7 and therefore inherit the limitations of the parent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 2, 3, 5, and 6 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicants admitted prior art (page 5, line 28- page 6, line 15), hereinafter AAPA.

Regarding claim 2, the AAPA discloses a display device with a control circuit (Fig. 2, element 200) with a first and second memories (Fig. 2, elements 201 and 202), a writing device (Fig. 2, element 203) and a reading device (Fig. 2, element 204) and as described in the specification the roles of the first and second memory and changed between reading and writing based on the decision means of inputted timing signals so that the memories are switched between alternately reading and writing data for display (Fig. 3, and page 6, lines 3-11). The RAM_SELECT signal used to select A or B is used to decide the roles of the memories for either reading or writing and is used to alternate the states based on the previous state. The circuitry used to generate the select signal is a means for deciding the roles of the memories.

Regarding claims 3, 5 and 6, the components described in the prior art appear to be formed on a substrate, which is standard for mounting electronic components within electronic devices and are part of an electronic device.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven E. Holton whose telephone number is (571) 272-7903. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Steven E. Holton
Division 2629
October 30, 2006

AMR A. AWAD
SUPERVISORY PATENT EXAMINER

